

Accomack County Planning Commission Minutes of January 11, 2012

Virginia: At a meeting of the Accomack County Planning Commission held on the 11th day of January 2012, in the cafeteria of Metompkin Elementary School, located at 24501 Parksley Road, Parksley.

1. **CALL TO ORDER:**

A. **MEMBERS PRESENT AND ABSENT**

Planning Commission Members Present

Mr. E. Phillip Hickman, Chairman
Mr. George Parker, Vice-Chairman
Mr. Leander Roberts
Ms. Toni Trepanier
Mr. Alan Silverman
Mr. Tony Picardi
Mr. Pete Onley
Mr. David Lumgair

Members Absent:

Mr. C. Robert Hickman

Others Present:

Mr. Rich Morrison, Director of Planning and Community Development
Mr. Robert Testerman, Land Use Planner
Ms. Hollis Fate, Administrative Assistant

B. **DETERMINATION OF QUORUM**

There being a quorum, Chairman Hickman called the meeting to order at 7:00 p.m.

2. **ADOPTION OF THE AGENDA:**

On a motion made by Mr. Parker and seconded by Mr. Onley, all present Commissioners voted Aye to adopt the Agenda with the following modification:

- Moving #5: C. Atlantic Town Center Wastewater Treatment Facility CUP Application to be considered after the Public Hearing, if time permits.

3. **PUBLIC COMMENT PERIOD (Not a public hearing):**

Chairman Hickman opened the floor for public comment period.
No one signed up or requested to speak.

Accomack County Planning Commission Minutes of January 11, 2012

4. ELECTION OF 2012 PLANNING COMMISSION OFFICERS

Chairman Hickman requested Mr. Morrison to preside over the election of the Chairman and Vice-Chairman for 2012. Mr. Morrison opened the floor for nominations.

On a motion made by Mr. Parker and seconded by Mr. Roberts, all present Commissioners voted Aye to nominate Mr. E. Phillip Hickman as Chairman for 2012. No other nominations were made.

On a motion made by Mr. Silverman and seconded by Mr. Phillip Hickman, all present Commissioners voted Aye to nominate Mr. George T. Parker as Vice-Chairman for 2012. No other nominations were made.

5. OLD BUSINESS:

A. Capital Improvements Plan

On a motion made by Mr. Silverman and seconded by Mr. Lumgair, all present Commissioners voted Aye to schedule a public hearing on the Capital Improvements Plan for the February 8, 2012 Planning Commission meeting.

B. Discussion of January 17, 2012 Work Session Topics

The Planning Commissioners and Mr. Morrison decided that the work session topics that needed to be discussed in the upcoming work sessions would be as follows:

- Capital Improvements Plan (CIP)
- Residential Zoning District
- Poultry Houses in General Business Zones
- Route 13 Corridor Overlay District

The Planning Commissioners discussed holding another work session before the February 8, 2012 Planning Commission meeting.

On a motion made by Mr. Lumgair and seconded by Mr. Parker, all present Commissioners voted Aye to schedule a work session for January 31, 2012.

Time permitted the Planning Commission to discuss agenda items NEW BUSINESS and MINUTES prior to the Public Hearing's commencement.

6. NEW BUSINESS:

A. Draft 2012 Planning Commission Meeting Schedule

On a motion made by Mr. Lumgair and seconded by Mr. Parker, all present Commissioners voted Aye to approve the 2012 Planning Commission Meeting Schedule

7. MINUTES:

A. December 14, 2011 Minutes

On a motion made by Mr. Parker and seconded by Ms. Trepanier, all present Commissioners voted Aye to approve the December 14, 2011 minutes.

Accomack County Planning Commission Minutes of January 11, 2012

8. 7:30 PUBLIC HEARING:

A. Zoning Ordinance Text Amendment prepared by Atlantic Town Center Properties, LLC.

Mr. Morrison presented the staff report on the proposed zoning ordinance text amendment that was prepared and submitted by Atlantic Town Center Properties, LLC.

The following persons offered comments in opposition of the proposed zoning ordinance text amendment submitted by Atlantic Town Center Properties, LLC:

- Ronnie Thomas
- Jo Thomas
- David Adams
- Steve West
- James Fox
- Jack Waterfield
- Alex Lawson
- Donald Matthews
- Jeff Hankins
- Carla Cunningham
- Patti Hankins
- Jerry Stoudt
- William Wallace
- Martin and Jean Simons
- David Vorsteg
- Joan Keane
- Herman Chesser
- Derry Stufft
- Colin Keane
- Martha Hill
- Hayden and Linda Gordon
- Angela Wingfield
- Lee Wingfield
- Johanna Hassani
- Ted Colanduno
- Audrey Leonard
- Jeanette Smolinski
- Bill Paige

The following person offered neutral comments about the proposed zoning ordinance text amendment submitted by Atlantic Town Center Properties, LLC:

- Louis Hinds

The following persons were unable to attend the public hearing and submitted comments about the proposed zoning ordinance text amendment submitted by Atlantic Town Center Properties LLC:

- Deborah Ullmann: In opposition of the proposed text amendment
- Eastern Shore Association of Realtors, Inc: In favor of the proposed amendment

Mark Baumgartner, the attorney for Atlantic Town Center Properties, LLC, gave a presentation on the proposed text amendment after the public had offered their comments.

Following Mr. Baumgartner's presentation, Chairman Hickman asked if there was anyone else that was not signed up to speak that would like to. The following persons offered comments in opposition of the proposed zoning ordinance text amendment:

- Mustafa Assani
- Jim Holloway

Chairman Hickman closed the public hearing at 9:00 P.M.

Accomack County Planning Commission Minutes of January 11, 2012

Mr. Parker asked Mr. Morrison if the County's code is out of compliance and Mr. Morrison replied back that in his conversations with Mark Taylor, County Attorney, he believes we are not required to amend the County Code to be in conformance with the State Code.

Chairman Hickman stated that he is not in favor of an offsite sewer plant. Chairman Hickman made it clear that by allowing this change, it would allow, by a conditional use permit, developers to come in and put sewer systems on any of the agricultural land in Accomack County.

Mr. Picardi questioned why the developers can't have the wastewater treatment facility on the site of their proposed planned unit development.

Mr. Parker raised the question on how there can be a public utility without a service area. He stated that he is much more comfortable with the way the current language and cannot support this proposed text amendment.

Mr. Roberts said that he cannot support moving the sewer plant away from the planned unit development site.

Ms. Trepanier feels that the sewage plant should be on the planned unit development site. She made it clear that she was apprehensive about making this type of change that would affect the entire County.

After careful deliberation, the Planning Commission came to its' decision:

On a motion made by Mr. Picardi and seconded by Mr. Roberts, the Planning Commission voted unanimously to recommend that the Board of Supervisors not approve the proposed zoning ordinance text amendment prepared and submitted by Atlantic Town Center Properties, LLC and to leave the Agricultural Zoning Ordinance as is.

9. NEXT MEETING

The next regular Planning Commission meeting is scheduled for 7:00 P.M. on Wednesday February 8, 2012 in the Accomack County Board Chambers, Room #104, in Accomac.

There are three work sessions scheduled to take place in January. The first will be held on January 17, 2012 at 7:00 P.M. in Metompink Elementary School's cafeteria, in Parksley. The second work session will be held on January 24, 2012 at 7:00 P.M. in the Accomack County Board Chambers, Room #104, in Accomac. The third work session will be held on January 31, 2012 at 7:00 P.M. in the Accomack County Board Chambers, Room #104.

Accomack County Planning Commission Minutes of January 11, 2012

10. ADJOURNMENT

On a motion made by Mr. Parker and seconded by Mr. Onley, all Commissioners voted Aye to adjourn the meeting.

Chairman Hickman adjourned the meeting at 9:35 p.m.

E. Phillip Hickman, Chairman

Hollis Fate, Administrative Assistant